IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE: KENNETH NIEVES MAISONET NOEMI VAZQUEZ MATEO DEBTOR(S)	CASE NO. 10-05149-SEK CHAPTER 13

MOTION AND NOTICE OF FILING OF POST-CONFIRMATION MODIFICATION OF CHAPTER 13 PLAN

TO THE HONORABLE COURT:

NOW COME, KENNETH NIEVES MAISONET and NOEMI VAZQUEZ MATEO through the undersigned attorney, and very respectfully state and pray as follows:

1. The debtor is hereby submitting a Post-Confirmation Modification of Chapter 13 Plan, dated December 21, 2010 herewith and attached to this motion.

2. This Post-Confirmation Modification is filed to provide for the pre-petition arrears with Banco Popular de Puerto Rico.

NOTICE

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this notice was sent via electronically by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participant: debtors, Kenneth Nieves Maisonet and Noemi Vazquez Mateo; and parties in interest, in the present case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 21st day of December, 2010.

/s/ *Roberto Figueroa Carrasquillo*
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
ATTORNEYS FOR PETITIONER
PO BOX 193677
SAN JUAN PR 00919-3677
TEL NO (787) 744-7699 FAX 746-5294
EMAIL: rfigueroa@prtc.net

United States Bankruptcy Court
District of Puerto Rico

IN RE: Case No. **10-05149-13**

NIEVES MAISONET, KENNETH & VAZQUEZ MATEO, NOEMI Chapter **13**
Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☑ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 12/21/2010 ☐ AMENDED PLAN DATED: ______
☐ PRE ☒ POST-CONFIRMATION Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

$ 150.00	x 42	= $ 6,300.00
$ 280.00	x 14	= $ 3,920.00
$ 540.00	x 4	= $ 2,160.00
$	x	= $
$	x	= $

TOTAL: $ **12,380.00**

Additional Payments:
$______ to be paid as a LUMP SUM within ______ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in addition to the above:
$______ x ______ = $ ______

PROPOSED BASE: $ **12,380.00**

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: $ **2,949.00**

Signed: [signature]
Debtor

[signature]
Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR ____ $ ______
B. SECURED CLAIMS:
☐ Debtor represents no secured claims.
☑ Creditors having secured claims will retain their liens and shall be paid as follows:
1. ☑ Trustee pays secured ARREARS:

Cr. **BANCO POPULAR D**	Cr.	Cr.
# **9341**	#	#
$ **160.00**	$	$

2. ☐ Trustee pays IN FULL Secured Claims:

Cr.	Cr.	Cr.
#	#	#
$	$	$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr.	Cr.	Cr.
#	#	#
$	$	$

4. ☑ Debtor SURRENDERS COLLATERAL to Lien Holder:
COOP A/C AIBONITC **COOP A/C SAN JOS**
5. ☐ Other:

6. ☑ Debtor otherwise maintains regular payments directly to:
BANCO POPULAR D

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2)
D. UNSECURED CLAIMS: Plan ☐ Classifies ☑ Does not Classify Claims.
1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: ______
☐ Paid 100% / ☐ Other: ______

Cr.	Cr.	Cr.
#	#	#
$	$	$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (*Executory contracts; payment of interest to unsecureds, etc.*)
*** "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."**
***Or as otherwise specified on proof of claim.**
Late filed claims filed by creditors will receive no distribution.
"Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank.
Debtor reserves the right to object claims after plan confirmation.

Attorney for Debtor **R. Figueroa Carrasquillo Law Office** Phone: **(787) 744-7699**

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NIEVES MAISONET, KENNETH
HC 01 BOX 4399
AIBONITO, PR 00705

VAZQUEZ MATEO, NOEMI
HC 01 BOX 4399
AIBONITO, PR 00705

R. Figueroa Carrasquillo
Law Office
PO Box 193677
San Juan, PR 00919-3677

ASOCIACION EMPLEADOS ELA
PO BOX 364508
SAN JUAN, PR 00936-4508

BANCO POPULAR DE PR
PO BOX 70100
SAN JUAN, PR 00936-8100

COOP A/C AIBONITO
PO BOX 422
AIBONITO, PR 00705-0422

COOP A/C SAN JOS
PO BOX 2020
AIBONITO, PR 00705

FIA CSNA
4060 OGLETOWN/STAN
NEWARK, DE 19713

RADIO SHACK
PROCESSING CENTER
DES MOINES, IA 50364-0001

SAMS
PO BOX 105980 DEPT 77
ATLANTA, GA 30353-5980